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**Attorneys At Law**

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**PLEASE SEE ATTACHED PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION AND STATEMENT ACCOMPANYING PETITION**

Serial No.: 09/892,212

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Tony S. Kaushal

Serial No.: 09/892,212

Filed: 06/25/2001

Title: EROSION-RESISTANT COMPONENTS FOR PLASMA PROCESS CHAMBERS

Art Unit: 1775

Examiner: Jennifer C. McNeil

Confirm. No.: 1445

Docket No.: 005231 ALRT/ETCH/DRIE

Via Facsimile: 703-308-6916 872-9306

Attn: Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON  
FAILURE TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a) AND  
STATEMENT ACCOMPANYING PETITION**

Sir:

This Petition to Withdraw Holding Of Abandonment Based On Failure To Receive Office Action is filed in response to the Notice of Abandonment mailed February 23, 2005.

As per the Notice of Abandonment, the applicant failed to file a response to the Office Action mailed July 28, 2004. This failure to file a response was unintentional as the Office Action was never received by the applicant, Applied Materials, Inc.

Enclosed please find a statement signed by a representative of the Assignee, Applied Materials, Inc., in which the representative states that the Office Action was not received, and attests to the fact that a search of the file jacket and docket records indicates that the Office Action was not received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is enclosed as well.

Serial No.: 09/892,212

In view of the above circumstances, Applicant hereby petitions the Commissioner to grant this Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action. It is respectfully requested that the Notice of Abandonment be withdrawn, and that the Office Action be remailed to the Assignee, Applied Materials, Inc., with a new period for response set to expire 3 months from the mailing date of the remailed Action.

While it is not believed that any fees are due as a result of this Petition to Withdraw Holding of Abandonment, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account #50-1047.

Respectfully submitted,



David B. Bonham Reg. No. 34,297

Attorney for Applicant  
Mayer Fortkort & Williams, PC  
251 North Avenue West, 2<sup>nd</sup> Floor  
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document, and any document referenced herein, has been transmitted via facsimile to the US Patent and Trademark Office, Office of Petitions at (703) 308-6916 on 5/23/05.



Marjorie Scariati

(Printed Name of Person Faxing Correspondence)

**PLEASE CONTINUE TO SEND ALL CORRESPONDENCE TO:**

Applied Materials, Inc.  
2881 Scott Blvd, M/S 2061  
Santa Clara, CA 95050

APPLIED MATERIALS

05/23/05 16:20 FAX 408 563 6492

To The Office of Petitions:

The undersigned states that the Office Action mailed to Applied Materials, Inc. on July 28, 2004 in patent application 09/892,212 was never received at the office of Applied Materials, Inc. A search of the file jacket and docket records confirms that the Office Action mailed July 28, 2004 was never received. A copy of the docket record where the non-received Office Action would have been entered had it been received and docketed is attached hereto.

Signed:



Printed name and title:

Sheri Griffin  
Patent Administrator

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APPLIED MATERIALS

2002

05/23/2005

## Patent Information Print

Pocket No 005231  
 Country United States  
 Case Type REGULAR CASE TYPE  
 Relation Type ORIGINAL OR PATENT CASE  
 Filing Type NATIONAL CASE  
 Filing No  
 Attorney Loretta A PETERS  
 Law Firm Mayer Fortkort and Williams  
 Client/Division Applied Global Services  
 Current Owner Applied Materials, Inc.  
 Prev Own  
 AMW#  
 Status APPLICATION IS FILED  
 First Filing Dt 06/25/2001  
 Sub Stat  
 Sub Stat Dt  
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 Parent Filing Dt 06/25/2001  
 Parent No 09/892,212  
 Parent Grant Dt  
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 Ind. Claims 2  
 Application # 09/892,212  
 Application Dt 06/25/2001  
 Patent No  
 Grant Dt  
 Publication # 2004-0033365  
 Publication Dt 02/19/2004  
 Assigned ASSIGNMENT RECORDED  
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 Govt Cont

Next Tax Dt  
 Associate  
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 Patent Admin  
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 Update Tm  
 Update User  
 Update Type

Mayer Fortkort and Williams  
 IBSS  
 Sheri GRIFFIN

Robert W Mulcahy  
 6000/04

11956/0087  
 06/25/2001

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06/26/2001

03/22/2005

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SRG

## \*\*Actions\*\*

Action INVENTOR FILING AWARD DUE  
 Act Due Date 07/18/2001  
 Taken Dt  
 DeadLn Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

08/01/2001

Action Notice of Missing Parts  
 Act Due Date 10/15/2001  
 Taken Dt  
 DeadLn Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

09/27/2001

Act Notes  
 REQUEST WITHDRAWAL OF NMP./DB  
 MFW to take care of this. NOMP was sent in error. SIGS was  
 e filed on time/sa

Action PCT Search Rpt Publishe-IDS?  
 Act Due Date 01/15/2003  
 Taken Dt 11/08/2002  
 DeadLn Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

10/06/2003

Act Notes  
 mayax

Action Revised Publication Date  
 Act Due Date 02/19/2004  
 Taken Dt  
 DeadLn Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

02/19/2004

Action Official Action Due Date  
 Act Due Date 04/30/2004  
 Taken Dt  
 DeadLn Dt 07/30/2004  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

04/30/2004

Action RESPONSE TO ABANDONMENT  
 Act Due Date 03/23/2005  
 Taken Dt 03/22/2005  
 DeadLn Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

Act Notes  
 Copy to Maxj & MFW/SAC

Action Supplemental IDS filed  
 Act Due Date  
 Taken Dt  
 Comp Dt  
 Resp Pty #1  
 Resp Pty #2

12/02/2002

P.05

May 23 2005 19:41

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APPLIED MATERIALS

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DeadLn Dt

Action	Foreign Filing Recommended	Comp Dt	05/15/2002
Act Due Date		Resp Pty #1	Mark O'BOYLE
Taken Dt		Resp Pty #2	
DeadLn Dt			

Action	Certified Copies ordered fro	Comp Dt	07/24/2002
Act Due Date		Resp Pty #1	
Taken Dt	05/17/2002	Resp Pty #2	
DeadLn Dt			

Action	Information Disclosure State	Comp Dt	06/25/2001
Act Due Date		Resp Pty #1	
Taken Dt		Resp Pty #2	
DeadLn Dt			

Action	Foreign to be Completed by:	Comp Dt	06/23/2002
Act Due Date		Resp Pty #1	Mark O'BOYLE
Taken Dt	06/05/2002	Resp Pty #2	
DeadLn Dt	06/25/2002		

ACT NOTES  
 6/26/2002-FILED TW./DB  
 6/24/2002-FILED PCT./DB  
 6/6/2002-BSTZ CONFIRMS REC'T OF INSTR TO FILE PCT./DB  
 PER MOB, CPS will support, transfer to CPS, file PCT K, J, B  
 , Malaysia, CHINA, EPC -GERM, FR, UK and  
 direct in TW, insts to Blakley and TSAI/93  
 5/7/2002-SHAN WILL NOT PAY FOR FOREIGN FILING, MADE REQUEST  
 TO CPS TO ADOPT./DB

Action	Filing Receipt Received	Comp Dt	11/21/2003
Act Due Date		Resp Pty #1	

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